



FIRELINE

AN OFFICIAL PUBLICATION OF THE WASHINGTON FIRE COMMISSIONERS ASSOCIATION

CONFERENCE 2006

Department of Labor Guidelines on Volunteer Compensation

The following is a summary of the recently issued U.S. Department of Labor guidelines on volunteer compensation prepared by Clark and Brian Snure, Attorneys, Snure Law Office.

Since the Fair Labor Standards Act (FLSA) became applicable to fire protection districts, the most frequent question asked was: How much can we pay volunteers without their losing the status as volunteers? The answer has been: You can reimburse them for expenses incurred in their providing the services and a "nominal sum per unit of voluntary service". The answer generated the next question: What is a "nominal sum"?

Until last month, the U.S. Department of Labor had issued no specific answer. The Administrator of the Wage And Hour Division of the Employment Standards Administration recently issued a letter to the President of the International Association of Fire Chiefs that provides a specific answer and guidelines.

Caution – A district still cannot pay a volunteer an hourly wage. The payment must be based on a "unit of voluntary service" such as a drill, response, etc.

A district may pay its volunteers a sum not to exceed twenty percent of what it pays its paid fire fighters for similar services. If a district has no paid fire fighters, it may use the amount paid by nearby districts. Factors that may be considered in determining nominal compensation per unit of service include "distance traveled, time and effort expended, around-the-clock versus limited availability, throughout the year versus upon request".

Caution – A district still cannot pay a volunteer an hourly wage. The payment must be based on a "unit of voluntary service" such as a drill, response, etc. This FLSA guidance does not alter or affect issues relating to taxation of the compensation paid. The payment of a nominal sum under a non accountable plan must still be reported on a W-2 Form and, in most situations, remains subject to FICA (social security and Medicare taxes).

The following hypotheticals were included by the Administrator as examples of acceptable nominal sum payments (provided that the total dollar amount paid was less than the 20% threshold):

See Volunteer on Page Five

New State Fire Marshal Named

Chief John R. Batiste announced that following a nationwide search, Michael G. Matlick has been appointed as Bureau Commander of the Washington State Patrol's Fire Protection Bureau, and will serve as Washington State's Fire Marshal.

Matlick spent 30 years as a law enforcement officer with the Washington State Patrol. His assignments included traffic enforcement and investigations, director of the State Patrol's Human Resource Division and Training Division, Acting State Fire Marshal, and Commander of the Investigative Services Bureau.

Mike retired in 2003 and returned to the State Patrol in February 2005 to direct the State Fire Training Academy. In September

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A Message from the President *by Richard Kistler*



As we approach the close of another year, I think it appropriate that we reflect upon what the Association has accomplished and to look forward to what we hope to accomplish in the years ahead.

Looking back, you can be proud of your Association. With the help of the various committees and its dedicated staff, the WFCA once again has sponsored successful and meaningful educational programs, proposed and supported legislation of great benefit to local fire districts and departments (as well as opposed those pieces of legislation that could have had deleterious effects), and has assisted districts and departments in understanding and abiding by the laws by which

they are governed.

We have also been successful in helping the National Association of Elected Fire Officials to grow and become an ever-increasingly strong voice for elected fire officials throughout the nation.

I offer my most sincere appreciation to all of you who stepped forward to serve on the many committees and boards on behalf of the Association

Looking into the future, the Association has the opportunity in the next legislative session to resubmit the 6-year levy lid lift. We feel very strongly that this legislation will pass in some form and allow fire districts and departments to budget effectively, knowing that they have a

stable base from which to work.

We will also continue to strive to offer educational seminars and programs to help each of us better understand our roles as Fire Commissioners and how to be more effective in dealing with the issues that face fire districts and departments.

And we will continue to work closely with fire districts whose budgets are impacted by state mandates and state agencies.

Lastly, I think it appropriate that I offer my most sincere appreciation to all of you who stepped forward to serve on the many committees and boards on behalf of the Association and a special thanks to Roger, Nora, Sandy, and Amber, the WFCA staff, who have assisted in invaluable ways to help the WFCA to continue as an effective and efficient voice for all of us.

Questions About Health Care? Ask at Conference!

WFCA health care representatives will be available for one-on-one consultations (questions and answers) on Thursday and Friday during the WFCA annual conference at the SeaTac Doubletree. Specific times will be posted at the WFCA registration desk.

Tom Treves (Consultant), Barb

Wills (Principal) of Mercer and Pete Spiller (Health Care Manager) will be available to answer all your questions and to provide information for the 2007 plans.

For those of you who were unable to attend the August health care workshops, this is an excellent opportunity to get the low-down on health care for 2007.

ON THE WEB...

The WFCA newsletter, *Fireline*, is available online. For the latest edition, log onto www.wfca.wa.gov and select *Fireline (newsletter)* from the dropdown menu under the *Library* tab. You may also receive a copy of *Fireline* via email—for details, contact the WFCA office at wfca@wfca.wa.gov.

2006 WFC A Conference Class Offerings

The WFC A's 58th Conference will be held at the Doubletree Hotel in SeaTac, October 19-21.

A "Welcome to Conference" continental breakfast, sponsored by Emergency Services Insurance Program and Rice Fergus Miller Planning & Architecture, will be held from 8-10 a.m. on Thursday, the 19th. Opening ceremonies begin at 10 a.m.

The conference will conclude on Saturday, the 21st, at 1:30 p.m., following an Installation Luncheon for the 2007 WFC A Board of Directors.

Conference classes are outlined below; please contact the WFC A office at 1.800.491.9322 or email wfca@wfca.wa.gov if you have questions or need more information.

THURSDAY AFTERNOON, 10/19

FIRE SERVICE FUNDING: WHAT DO CONSTITUENTS THINK?

The Joint Funding Task Force of the Washington Fire Commissioners Association and Washington Fire Chiefs has met for over two years to discuss fire service funding in Washington State. The WFC A and WFC jointly contracted with Washington State University's Division of Governmental Affairs and Services to survey citizens' about the fire service and whether or not they would be willing to increase their financial support for fire protection and emergency medical services.

Michael Gaffney, Associate Director at WSU, will provide a comprehensive overview of the survey process and citizen responses, which will include the public's general impression, personal experiences, perceptions and problems in relation to fire protection districts.

Are people willing to pay more for the current level of service? If so, what taxes are they willing to increase? These are key questions that will be examined during this program.

This is your chance to participate in the next step to ensure adequate funding for future fire service needs.

HURRICANE KATRINA & THE ROLE OF FIRE DISTRICTS IN DISASTER PREPAREDNESS

This general session will provide insight into the devastation caused by Hurricane Katrina. A Spokane County Incident Management Team assisted the City of New Orleans in the aftermath of this disaster and team leaders Chiefs Bob Anderson (Spokane 9) and Ed Lewis (Spokane 4) will share their compelling first hand account of the devastation.

The second part of this program will focus on the role of a fire district in a regional and/or state disaster. Representatives of the emergency management community will provide information on how state and local governments must cooperate and communicate in the event of a natural or manmade catastrophe.

FRIDAY AFTERNOON, 10/20

DRAFT MINIMUM STANDARDS AND PENSION OPTIONS FOR VOLUNTEER FIREFIGHTERS

Executive Secretary Brigitte Smith of the Board for Volunteer Firefighters will present an overview of the draft volunteer firefighter minimum standards for eligibility in the BVFF pension program.

This is your opportunity to provide input and to discuss the history which preceded the draft standards prior to final adoption in Washington Administrative Code. Ms. Smith will answer questions on the current volunteer pension program and advise attendees on pension options.

This class will also feature representatives from the Department of Retirement Systems discussing the enrollment of volunteers in the State Deferred Compensation program. This program is tax deferred, fully portable and allows individual choice in selected investments. It also provides for initial retirement payments at age 59½. This class will show you how to enhance your fire district's volunteer benefits.

LABOR NEGOTIATIONS: HOW TO MANAGE THE PROCESS AS AN ELECTED OFFICIAL

Leading public sector management attorneys will review public employment issues including labor negotiations and how fire commissioners fit into the process.

Instructors will offer a legal review of mandatory bargaining subjects such as wages, hours and working conditions. Public Employment Relations Commission (PERC) rulings will be discussed, as well as how comparables are determined and management rights. The program will feature a "start to finish" process for negotiating a labor union contract.

Other issues to be discussed include: hiring an outside negotiator, the chief's role in labor negotiations, and what management responsibilities are mandated by statute. This workshop is a must for fire districts with a bargaining unit.

SATURDAY MORNING, 10/21

GORDON GRAHAM...WHY THINGS GO RIGHT — WHY THINGS GO WRONG

The WFC A is pleased to announce that nationally acclaimed speaker Gordon Graham will present a three-hour workshop on risk management.

This program will focus on organizational risk management within your fire district and show what can be done today to avoid potentially damaging incidents. Mr. Graham will highlight the 5 pillars of a successful organization and give you the tools to make immediate, progressive changes in the workplace. A series of rules will illustrate how to prevent incidents from going wrong. Don't miss this dynamic speaker who communicates the importance of public sector risk management in the 21st century!



2006 Nominating Committee Report

In accordance with the *WFCA Articles of Association and Bylaws*, this article outlines action taken by the 2006 Nominating Committee for presentation to the membership. The committee was chaired by Dale Mitchell (Pierce 8) and consisted of the following members: Lee Boling, Spokane 8 (Region 1), Jerry Bragg, Chelan 5 (Region 3), Tim Riggins, San Juan 5 (Region 5), Gerald Strong, Thurston 11 (Region 7) and David Ellingson, Kitsap 18 (Region 9). The committee nominated the following individuals for the 2007 WFCA Board of Directors:

OFFICERS

President-----Joe Dawson, Spokane County FPD 1

Vice President ---- Les Riel, Yakima County FPD 4

Secretary-Treasurer----- Bill Gates, South King Fire & Rescue

REGIONAL DIRECTORS

Region 2 ----- Emilio Buttice, Walla Walla 4

Region 4 -----Ken Eakin, Yakima 12

Region 6 -Mark Thompson, S. King Fire & Rescue

Region 8 -- Keith Merritt, Cowlitz 2 Fire & Rescue

It is suggested each nominee be allowed a maximum of three supportive speeches with a maximum total time of six minutes. The membership has the authority to allow whatever time it deems appropriate. Nominations will be accepted on the floor at conference.

WFCA AUXILIARY SILENT AUCTION & RAFFLE

Dear Friends,

As the time for the WFCA Annual Convention (October 19-21) in Seattle nears, the WFCA Auxiliary is making plans for its *2006 Annual Silent Auction & Raffle*. The proceeds of this auction benefit the Harborview Burn Center. In the past 20 years we have raised over \$50,000 for this project.

Once again, this year we are asking for your help!

1. CONTRIBUTIONS FOR THE AUCTION. It is through the generosity of people like you that the Silent Auction and Raffle has been so successful in the past. If you would be able to contribute we would be very appreciative. Your generous donations may be left in the Silent Auction & Raffle room Wednesday night, October 18th or Thursday morning, October 19th. Please be sure to identify your district on your donation. Thank you in advance for your support. NOTE: WE CANNOT ACCEPT ANY PERISHABLE ITEMS.

2. MEMBERSHIP. We need people who are willing to join our group and help or donate to the Silent Auction. The cost of insurance and mailing is going up and if we do not get more members the cost has to come out of our overhead. Dues, which are \$15, will go to help with our expenses and you will have contributed to a very good cause.

Thank you,

Lois Hensley

To contact Lois Hensley, Silent Auction & Raffle Chairperson, write 1603 W. Ballard Rd., Spokane, WA 99208, or call 509.466.2162.

To contact Kim Burrus, Silent Auction & Raffle Co-Chairperson, write 4109 Melody Ln., Pasco, WA 99302, or call 509.547.9476.

NOTE: Only cash or check payments will be accepted for auction and raffle items.

District Improves Fire Protection Rating

Thurston County FPD 1 recently learned from the Washington Surveying and Rating Bureau that it has improved its fire protection classification rating from a Class 8 to Class 6. This applies to all commercial buildings with standard hydrant distribution and water supply and to residential dwellings within the Grand Mound and Rochester Fire District. The new classification, which will be effective Nov. 1, will reduce fire insurance rates on most commercial and residential properties within the fire district boundaries.

Congratulations to Thurston 1! Commissioners...**Michael Thomas, Jeff Grimm, Calvin Dahl**; Secretary...**Gloria Field**; Chief...**Robert W. Scott**.

Fire Marshal From Page One

2005, he was again appointed Acting State Fire Marshal.

He is a graduate of the University of Washington and the Northwestern University School of Police Staff and Command.

Chief Batiste commented that, "I feel very confident in Mike's abilities to continue leading the State Fire Marshal's office in their efforts to save lives through preparedness and prevention." Part of that effort includes a recently unveiled fire safety slogan. "Prevent Fires – It's Your Job!" This slogan was developed by a statewide coalition to call attention to personal responsibility in preventing fires.

According to Mr. Matlick, "Fires are no accident and are predictable and preventable. It is our mission to educate citizens how they can prevent fires from starting in their homes."

Volunteer From Page One

- A volunteer is paid \$1,200 per year regardless of the number of shifts or amount of time spent responding to calls. On average the volunteer staffs a minimum of 24 shifts and/or spends a minimum of 60 hours responding to calls annually.
- A volunteer is paid \$100 per month regardless of the number of shifts or amount of time spent responding to calls. On average the volunteer staffs a minimum of 4 shifts and/or spends a minimum of 8 hours responding to calls monthly.
- A volunteer is paid \$100 per month so long as the volunteer staffs a minimum of 2 shifts and/or spends a minimum of 5 hours responding to calls during the month. Additional payments of \$25 are made for each additional shift over 4 during the month and/or for every 2.5 hours spent responding to calls exceeding 12 hours during the month.
- A volunteer is paid \$25 (or \$30 or \$40) for each four-hour block of time regardless of the actual amount of time below four hours spent at the station house or responding to calls.
- A volunteer is paid \$20 for each shift regardless of the length of the shift or the time spent responding to calls. On average, the volunteer works a 6 hour shift and/or spends 2 hours per shift responding to calls.
- A volunteer is paid \$25 if the volunteer staffs a shift of a least 8 hours and/or spends 2.5 hours responding to calls. An additional \$15 per shift is paid if the shift exceeds 8 hours or responds to calls over 5 hours during a single shift.

Please remember that the above examples are only guidelines and Districts are encouraged to seek appropriate counsel when establishing volunteer reimbursement plans.

Ads

FOR SALE by King 20 (Skyway Fire): 1980 American La France pumper, 32,252 mi, 4656 operating hrs, 8V71n Detroit dies, HT 740d Allison AT, 500 gal water tank, 2-Stage 1500 GPM American La France pump, body & paint refurbished in '90, incl emerg lights & siren, ladders Kussmaul charging system. Asking price is \$5,000. Sale as is where is, w/no warranties expressed and/or implied. For more info contact Chief Mark Fitzgerald mfitzgerald@kcfd20.org or Capt Tracy Wyckoff twyckoff@kcfd20.org or phone 206.772.1430.

FOR SALE by Pend Oreille 3: The commissioners of Pend Oreille 3 have declared the following items surplus and offer them for general sale or donation to the public and fire departments. All items are sold on "as is where is basis". No warranties are expressed or implied. The district will also accept best offer bids on the following equipment. To view the equipment please call Chief Mark Havener @ 509.447.5305 or email at mark@pofd3.org.

- One 1991 GMC 1 ton Utility/support Truck, vehicle features 4wd, 4 dr crew cab, 8 ft enclosed utility body (standup), 5.5 generator, extend-a-lites(2), siren, light bars. Great vehicle for scene support, or light duty rescue, \$5500 OBO
- 2 Engine Intake valves, 6" NST butterfly \$25 each
- 2 Electric Heater 240V 5500 watt \$10
- 1 35' 2 section extension ladder \$250
- 1 Electric/ hydraulic lift gate assembly from Cargo van \$1000.

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OFFICE HOURS

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THE OPINIONS EXPRESSED IN THIS PUBLICATION ARE NOT NECESSARILY
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